IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PRESTON LEE,)	2:13cv1757
)	Electronic Mail
Plaintiff,)	
)	Judge David Stewart Cercone
v.)	Chief Magistrate Judge Lisa Pupo Lenihan
)	
LT. SCHRADER and OFFICER J.C.)	
SMITH,)	
)	
Defendants.)	

(<u>MEMORANDUM ORDER</u>

IT IS HEREBY ORDERED that for the reasons set forth in that Report and Recommendation, which is adopted as the Opinion of this Court, Plaintiff's Complaint is **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

IT IS FURTHER ORDERED that the Clerk is to mark this case CLOSED.

AND IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order then a notice of appeal, as

provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.

David Stewart Cercone United States District Judge

cc: Preston Lee GH-8160 SCI Greene 175 Progress Drive Waynesburg, PA 15370

(Via First Class Mail)